

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**TYHSEED DAVIS,**  
**Plaintiff**

**v.**

**UNITED STATES-  
EASTERN DISTRICT  
OF PENNSYLVANIA  
OFFICE OF CLERK,  
UNITED STATES  
DISTRICT COURT, et al.,  
Defendants**

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**CIVIL ACTION NO. 22-CV-4608**

**ORDER**

AND NOW, this *15<sup>th</sup>* day of February, 2023, upon consideration of Tysheed Davis's Motion to Proceed *In Forma Pauperis* (ECF No. 5), Prisoner Trust Fund Account Statement (ECF No. 4), and *pro se* Complaint (ECF No. 1), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Tysheed Davis, #QP-2212, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent of SCI Dallas or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Mr. Davis's inmate account; or (b) the average monthly balance in Mr. Davis's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Mr. Davis's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall

forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Mr. Davis's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of SCI Dallas.

4. The Complaint is **DEEMED** filed.

5. Mr. Davis's Complaint is **DISMISSED WITH PREJUDICE** as frivolous, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), for the reasons stated in the Court's Memorandum.

6. The Clerk of Court shall **CLOSE** this case for all purposes including statistics.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read "Gene E.K. Pratter", is written over a solid black horizontal line.

**GENE E.K. PRATTER, J.**